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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 6 2005

In re application of:
Van Hensbergen

S Group Art Unit: 2153

Serial No.: 09/998,048

S Examiner: Strange, Aaron

Filed: 11/29/2001

S Attorney Docket No. AUS920010613US1

Title: System and Method for
Knowledgeable Node Initiated TCP
Splicing

S IBM Corporation
S IP Law Dept.
S 11400 Burnet Road
S Austin, Texas 78758

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I Athanasios E. Papathanasiou declares as follows:

1. From May, 2001 to August 2001, I was a Research Intern at International Business Machines Corporation (hereinafter, "IBM") in Austin, Texas. During that time, I cooperated with Mr. Eric Van Hensbergen in the preparation of a paper entitled "KNITS: Switch Based Connection Hand-off."
2. I have reviewed U.S. Patent Application entitled "System and Method for Knowledgeable Node Initiated TCP Splicing," that I understand was filed by Mr. Van Hensbergen and assigned to IBM (U.S. Application Serial No. 09/998,048). In addition, I reviewed the current claims, as amended, in Mr. Van Hensbergen's response to an Office Action which was filed on May 18, 2005.

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3. While I cooperated with Mr. Van Hensbergen in the preparation of the above-referenced paper, I am not a co-inventor of the invention described and claimed in the above-referenced patent application. In particular, I did not conceive of the invention as claimed.
4. I further declare that all statements made herein of my own knowledge and all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of United States Code and that such willful and false statements may jeopardize the validity of the above-referenced application and any patent issuing therefrom.

FURTHER DECLARANT SAYETH NOT.



Date: 9/28/2005

Athanasis E. Papathanasiou

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